

Remarks:

Claims 9-19 are pending in this application. Applicants have amended claim 1 to clarify the present invention. Applicants respectfully request favorable reconsideration of this application.

The Examiner rejected claims 9-11 under 35 U.S.C. § 102(b) as being anticipated by WO 01/70128 to Nielsen. The Examiner rejects claimed 12-18 under 35 U.S.C. § 103(a) as being unpatentable over Nielsen in view of WO 99/13795 to Salomonson. The Examiner rejected claim 19 under 35 U.S.C. § 103(a) as being unpatentable over Nielsen in view of U.S. patent 4,574,063 to Scherer.

Nielsen does not disclose the present invention as recited in amended independent claim 9 since, among other things, Nielsen does not disclose a method that includes a single heat treatment step. Along these lines, Nielsen does not disclose prior to carrying out heat treating applying a suspension to individual bridge parts, drying the suspension to form a layer of particles, and applying a suspension of glass material to the layer of particles. Rather, Nielsen discloses a two step heat treatment. As described at page 2, line 34, through page 3, line 13, Nielsen discloses assembling a bridge frame, a first heating of the bridge frame, applying an infiltration to the bridge frame and a second heating of the bridge frame and infiltration. Clearly, Nielsen does not disclose a one step heat treatment. Additionally, Nielsen does not disclose carrying out applying a suspension to bridge parts, drying the suspension, and applying a suspension of glass material to the layer of particles prior to heat treatment.

Nielsen discloses first sintering the binding agent including basic material. According to this process, the basic material will adhere to the parts. No glass will be formed between the parts and the basic material, as described at page 3 of the present specification.

In view of the above, Nielsen does not disclose all elements of the present invention as recited in newly amended independent claim 9 or claims 10 and 11, which depend from claim 9. Since Nielsen does not disclose all elements of the present invention as recited in claims 9-11, the present invention, as recited in claims 9-11, is not properly rejected under 35 U.S.C. § 102(b). For an anticipation rejection under 35 U.S.C. § 102(b) no difference may exist between the claimed invention and the reference disclosure. *See Scripps Clinic and Research Foundation v. Genentech, Inc.*, 18 U.S.P.Q. 841 (C.A.F.C. 1984).

Along these lines, anticipation requires the disclosure, in a cited reference, of each and every recitation, as set forth in the claims. *See Hodosh v. Block Drug Co.*, 229 U.S.P.Q. 182 (Fed. Cir. 1986); *Titanium Metals Corp. v. Banner*, 227 U.S.P.Q. 773 (Fed. Cir. 1985); *Orthokinetics, Inc. v. Safety Travel Chairs, Inc.*, 1 U.S.P.Q.2d 1081 (Fed. Cir. 1986); and *Akzo N.V. v. U.S. International Trade Commissioner*, 1 U.S.P.Q.2d 1081 (Fed. Cir. 1986).

The combination of Nielsen and Salomonson does not disclose the present invention as recited in claims 12-18, which depend from claim 9, since, among other things, the combination does not suggest a one step heat treatment. Along these lines, Neither Nielsen nor Salomonson suggests a method of making artificial dental bridges that includes prior to heat treatment applying a suspension to individual bridge parts, drying the suspension to form a layer of

particles, and applying a suspension of glass material to the layer of particles, and heat treating the individual bridge parts with the applied layer of particles and the suspension of glass material with a one step heat treatment. Salomonson et al. does not suggest applying a suspension of particles and drying the suspension. The dried particle network provides the bridge with a sufficient strength to permit the bridge to be transported to a heating device without requiring a support structure. Additionally, Salomonson et al. does not suggest particle reinforced glass. The particle reinforced glass of the present invention has a higher resistance to cracking than the pure glass material suggested by Salomonson et al. Furthermore, Salomonson et al. does not suggest a one step heat treatment. Therefore, the combination of Nielsen and Salomonson does not suggest the present invention as recited in claims 12-18.

The combination of Nielsen and Scherer does not suggest the present invention as recited in claim 19 since, among other things, Scherer does not overcome the above-discussed deficiencies of Nielsen since, among other things, Scherer does not suggest a one step heat treatment. Therefore, the combination of Nielsen and Scherer does not suggest the present invention as recited in claim 19.

In view of the above, the references relied upon in the office action, whether considered alone or in combination, do not disclose or suggest patentable features of the present invention. Therefore, the references relied upon in the office action, whether considered alone or in combination, do not anticipate the present invention or make the present invention obvious. Accordingly, Applicants respectfully request withdrawal of the rejections based upon the cited references.

In conclusion, Applicants respectfully request favorable reconsideration of this case and early issuance of the Notice of Allowance.

If an interview would advance the prosecution of this case, Applicants urge the Examiner to contact the undersigned at the telephone number listed below.

The undersigned authorizes the Commissioner to charge fee insufficiency and credit overpayment associated with this communication to Deposit Account No. 22-0261.

Respectfully submitted,

Date:

12/20/07



Eric J. Franklin, Reg. No. 37,134
Attorney for Applicants
Venable LLP
575 Seventh Street, NW
Washington, DC 20004
Telephone: 202-344-4936
Facsimile: 202-344-8300